IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 713 OF 2003

IN

SUIT NO.619 OF 2003

Deven Y.Kanani .. Plaintiff

versus

Jet Airways (I) P Ltd & anr .. Defendants

Mr Santosh Shetty i.b M.M.Vashi for Plaintiff

Mr E.P.Bharucha, Mr Jal Andhrujina, Ms Vishaka Vaswani i/b V.V.Juris for Deft no.1

CORAM : D.G. KARNIK, J

DATED : 15th April 2005.

P.C:-

1. Heard learned counsel for the parties. This motion is taken out by the plaintiff for a direction that the defendants be ordered and directed to pay a sum of Rs.7,50,000/- to the plaintiff or in the alternative to direct the defendants to deposit the sum of Rs.7,50,000/- in court. Learned counsel for the defendants invites my attention to the prayers

made in the plaint. There is not even a money decree prayed in the suit for recovery of the money. In the circumstances, there is no question of directing the defendants either to pay to the plaintiff or to deposit in court Rs.7,50,000/- or any other sum whatsoever. There is no merit in the motion which is hereby dismissed.

D.G.KARNIK, J